THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.19443 of 2005

02.9.2005

Between:

D.Sivashankara Reddy, S/o.D.Hanumantha Reddy,

Agriculture, Gonehal village, Bommanahal Mandal,

Ananthapur District.

and another

… Petitioners

AND

1. The District Collector, Ananthapur District, Ananthapur

and two others.

… Respondents.

ORDER:

The two petitioners allegedly own lands in Shanganahal village, Bommanahal Mandal, Ananthapur District. The land is comprised in Survey Nos.262B2A and 395B of Shanganahal and Sridharamatta villages. The petitioners statedly dug bore wells and raising paddy crop. They allege that the third respondent, without passing any orders and without giving any notice, directed them not to raise paddy crop and that on 20.8.2005 some strangers claiming to be the subordinate officials of third respondent came to the land and destroyed paddy crop. Apprehending further damage to the crop, the present writ petition is filed seeking direction to the respondents not to interfere with the possession of the petitioners.

Heard the learned Counsel for the petitioners and learned Assistant Government Pleader for Revenue (General). As rightly pointed out by the learned Assistant Government Pleader that though the petitioners have filed Xerox copies of pattadar pass books, no other material is placed in support of the allegation that the officials of third respondent destroyed the crop. He, however, does not dispute that the revenue officials cannot even use force for evicting the encroacher of Government land. That being the legal position, without expressing any opinion on merits of the case or the title of the petitioners in the land, the writ petition is disposed of observing that unless and until action is taken in accordance with law after issuing notice to the petitioners, the respondents are not entitled to interfere with the possession of the petitioners.

The writ petition is, accordingly, disposed of. No costs.

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(**V.V.S.RAO,J**)

September 02, 2005.

NOTE:

Issue order copy by 03.9.2005.

(B/o)

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